

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

FEB 26 2018

Clerk, U.S. District Court
Texas Eastern

UNITED STATES OF AMERICA §
and STATE OF OKLAHOMA *ex rel.* §
STEPHEN DEAN, §
§
Plaintiffs, § Civil Action No. 4:14-CV-203
§
v. § Judge Mazzant
§
PARAMEDICS PLUS, LLC, §
EAST TEXAS MEDICAL §
CENTER REGIONAL HEALTHCARE §
SYSTEM, INC., EAST TEXAS MEDICAL §
CENTER REGIONAL HEALTH §
SERVICES, INC., EMERGENCY §
MEDICAL SERVICES AUTHORITY, §
and HERBERT STEPHEN WILLIAMSON, §
§
Defendants. §

WRIT OF SEQUESTRATION

TO THE UNITED STATES MARSHAL:

On February 26, 2018, an Emergency Application for a Prejudgment Writ of Sequestration was filed in the United States District Court for the Eastern District of Texas in the above-entitled case, in favor of the United States of America, Plaintiff, and against Defendants East Texas Medical Center Regional Healthcare System, Inc. ("ETMC System") and East Texas Medical Center Regional Health Services, Inc. ("ETMC Services") (collectively the "ETMC Defendants"), in the sum of at least \$109,000,000.00.

Defendant ETMC System's last known address is 1000 South Beckham Avenue, Tyler, Texas 75701.

Defendant ETMC Services's last known address is 1000 South Beckham Avenue, Tyler, Texas 75701.

The Court having reviewed the Motion and being fully advised in the premises; now, therefore let a Writ of Sequestration issue as herein prayed for as to \$109,000,000.00 of the proceeds of the sale of the ETMC Defendants' assets to Ardent Health Partners, LLC. ("Ardent").

NOW, THEREFORE, YOU ARE HEREBY COMMANDED to proceed without delay to execute this writ. You are ordered to file a copy of the notice of sequestration in the same manner as provided for judgment in 28 U.S.C. § 3201(a)(1). You shall serve a copy of the writ and notice of sequestration on the ETMC Defendants against whom this writ is issued and Bracewell, LLP and Ardent Health Partners, LLC, who have possession of the sale proceeds subject to this writ. You shall secure satisfaction of the amount alleged to be due by the United States by sequestering until further order of this Court at least \$109,000,000.00 of the sales proceeds from the sale of the ETMC Defendants' assets to Ardent, in which the ETMC Defendants have a substantial nonexempt interest, without delay. The closing shall take place at the offices of Bracewell, LLP located at 1445 Ross Avenue, Suite 3800, Dallas, Texas 75702 as early as February 28, 2018.

YOU ARE DIRECTED TO contact Bracewell, LLP, Attn: Janice Z. Davis, 214-758-1088, as soon as possible to confirm the actual date and time of closing. You shall deliver a copy of this writ to Bracewell, LLP, as soon as possible and no later than 5:00 p.m. on February 27, 2018. Said proceeds in the amount of \$109,000,000.00 shall be deposited immediately into the registry of this Court via cashier's check, wire transfer, or other commercially reasonable method upon closing of the sale of the ETMC Defendants'

assets to Ardent by the closing agent. Said proceeds shall remain in the registry of the Court pending further of the Court.

THE CLOSING AGENT IS ORDERED TO include with the payment a written statement that identifies the closing agent's name, the name of the debtor, the amount of the sequestered sale proceeds, the property from which such proceeds is produced, and the period during which such proceeds is produced (i.e. closing date).

YOU, UNITED STATES MARSHAL, ARE FURTHER COMMANDED after executing the writ of sequestration, to return the writ with your action endorsed thereon or attached thereto and signed by the marshal, to the court within five (5) days after the date of the execution. The return shall describe the income sequestered with sufficient certainty to identify it and shall state the location where it was sequestered, and the date and time it was sequestered. If no income was sequestered, the return shall so state.

YOU ARE FURTHER COMMANDED that the sequestration shall not exceed property reasonably equivalent in value to the aggregate amount of the debt, costs, and interest.

DATE: 2/26/2018

David A. O'Ffole
UNITED STATES DISTRICT CLERK

Becca Tonell, Deputy Clerk

RETURN

Pursuant to 28 U.S.C. § 3105(f), I certify the attached writ of sequestration was received and executed by the United States Marshal as follows:

DATE OF EXECUTION OF THE WRIT: _____

PROPERTY SEIZED PURSUANT TO THIS WRIT (provide enough description of the amount of the funds and the property from which these funds were derived with sufficient certainty to identify it):

DATE RECEIVED: _____ TIME RECEIVED: _____

LOCATION WHERE THE FUNDS/PROPERTY WAS SEQUESTERED:

BY: _____

Deputy United States Marshal

Printed Name: _____

Date: _____

Writ of Execution /Sequestration

A writ of execution (i.e., a general term that includes all measures to collect on a judgment) is a court order which allows the officer to whom the writ is addressed to seize property belonging to the judgment debtor and sell the property, with the proceeds used to satisfy the judgment. Fed.R.Civ.P. 69. A writ of execution also may be called a writ of sequestration. Federal Rule of Civil Procedure 64 also includes other remedies (e.g., attachment, garnishment).

The writ is issued by the clerk's office, served by the law enforcement agency (USM), and a return of service is filed with the court at a later date.